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No. 86

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. NUGENT).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 15, 2011.

I hereby appoint the Honorable RICH NUGENT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### IN MEMORY OF GRAHAM B. PURCELL, JR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. THORNBERRY) for 5 minutes.

Mr. THORNBERRY. Mr. Speaker, I rise today to inform the House that one of our former colleagues, the Honorable Graham P. Purcell, Jr., has passed away at the age of 92.

Graham Purcell was a larger-than-life figure who led a remarkable life of service. Whether it was as a soldier in World War II, a State judge, or a U.S. Congressman, he served with a strength of character and with a love

of country that has provided an example and an inspiration for many people, including me. A man of deep faith, Graham possessed a generosity of spirit that extended to all aspects of his life. He was a member of the Greatest Generation that saved the world from totalitarianism and then came home to build the most prosperous nation the world has ever known. But Graham Purcell was also an individual who would stand out in any generation, rising from humble roots to help make history.

He was born in Archer County, Texas, on May 5, 1919. After high school, he enrolled in Texas A&M, but the war came, and shortly after Pearl Harbor he entered the Army, serving in Tunisia and in Italy, and earning, among other awards, the Silver Star. Even after he was discharged, he continued to serve in the Army Reserves for a number of years. When he returned from the war, he finished his degree at Texas A&M and then Baylor Law School. After practicing law for a few years, he was appointed judge for the 89th district court in Texas, and served from 1955 until 1962, when he resigned in order to run for Congress in a special election.

Serving in the House from January 1962 until January 1973, Congressman Purcell focused primarily on his work on the Agriculture Committee, serving as chairman of the Livestock Subcommittee. He also played a key role in the Congressional Prayer Breakfast, and served the people of North Texas with integrity and distinction for 11 years. After Congress, Graham practiced law and helped found a large law firm and then served as a visiting district judge in Texas. But in whatever capacity—soldier, judge, Congressman, citizen—Graham was committed to serving others. He and his wife, Nancy, just recently received an award for helping children in crisis in the Wichita Falls community.

Graham Purcell led a rich, full, remarkable life. How many others can say that they shook hands with Winston Churchill while serving as a soldier in Italy; had Vice President Johnson come pick him and his family up at the airport just after he was elected in a special election to take them to the Johnson home so they could stay for a while until they had a chance to find a place of their own; or, on the last night of President Kennedy's life spent more than an hour with him on the plane from Houston to Fort Worth, swapping stories back and forth, and then was in the motorcade the next day when President Kennedy was assassinated; or, made numerous trips back and forth to Vietnam to thank our soldiers for what they were doing there, always stopping at a burn unit along the way to make sure that those severely wounded would know that their country appreciated what they were doing; or, at age 92, just a few weeks ago, offer important guidance and advice to one of his successors about the importance of putting the country first ahead of party, ahead of personal considerations.

Although Graham loved history—and he certainly loved to regale family and friends with some of his amazing stories—he was also a person who was always looking forward. He was consumed by what kind of country would be left to his children and his grandchildren. And it was this focus on the common good that dominated his life story and really defined him as a man and as a public servant. He and his wife, Nancy, have 8 surviving children as well as 25 grandchildren and 5 great grandchildren, all of whom benefited from his loving care and will miss him greatly.

Although Graham had many titles and roles in his life, he knew that first and foremost he was a child of God. It was from this perspective that he lived—and it is in this assurance that he now rests.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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## THE WAR ON DRUGS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. This past Friday, the United States would have observed—"celebrated"—would be entirely the wrong word—the 40th anniversary of the war on drugs. The war on drugs was initiated by President Richard Nixon. He said we can have a war on drugs 40 years ago.

The fact is, 40 years later, we've spent nearly a trillion dollars on the war on drugs. We have just as much drug use in this country as ever before. We've incarcerated millions and millions of people for victimless crimes. And when we get people who sell drugs, which we need to do, all that happens is like sharks teeth—they're replaced by the next in line; somebody else wanting to make money from a program that the public endorses and supports. So the war on drugs has been a terrible mistake.

Now, don't get the wrong impression. I'm not suggesting that drug abuse and drug addiction is not a great problem that we must deal with. But our approach in treating it as a law enforcement matter and not as a health matter, a health care issue, has led to prison populations increasing, racial disparities of the greatest source in this Nation in the arrest process, and a lost generation of people with no education and no job prospects because those arrests haunt them for the rest of their lives.

Think about how many law enforcement resources have been wasted on drug arrests—nonviolent drug arrests—when policemen could be spending their time working against violent crime and crimes that are dangerous to people—robberies and murders and assaults and other offenses that are truly important to the American public. It has been estimated that the total criminal justice cost of marijuana arrests for State and local governments is as much as \$7.6 billion a year. That averages out to about \$10,000 per arrest. Think of all the serious criminals that could have been arrested instead.

I was shocked recently to read that the New York City Police Department arrested 50,000 people for low-level marijuana offenses last year. New York City, 50,000 arrests for low-level marijuana offenses. This was more than during a 19-year period between 1978 and 1996 combined. Marijuana use has not skyrocketed in the last year, but arrests have ramped up. They use arrests as a basis to get people, particularly people of color, where it's seven times more likely you'll be arrested if you're African American and four times more likely you'll be arrested if you're Latino, and more likely if you're African American or Latino that you'll spend the night in jail than if you're Caucasian, as a way to take people and arrest them and deprive them of what should be their basic civil rights to go around the city.

Our local budgets are straining like never before. And yet we see more arrests. It's time that we question this policy, this war, knowing that insanity is repeating the same thing over and over again and expecting a different result. This is insane. For 40 years we've had this war on drugs. We've had a war on our own citizens. We've wasted monies that can be used for better things. And we've treated what is a health problem and a societal problem as a law enforcement problem. It is a mistake. We need to change our approach.

Drug courts have been a successful way to deal with this problem. We have drug courts in my community that have been successful in getting people to see a different approach to life—not a jail, but a different approach. Racial disparities that I mentioned have been tremendous. It is seven times more likely if you're African American, four times more like if you're a Latino, to be arrested. These inequities run throughout our drug policy program and need to be directed. We corrected a discrepancy between powder cocaine and crack last year. It was 100-to-1 before we changed the law. It's now 18-to-1 in quantity. Still, it should be equal. And it results in racial disparities once again.

□ 1010

I have introduced legislation, the Justice Integrity Act, which would study those disparities and a Byrne Program Accountability Act which would require States to do studies on their racial disparities. The fact is law enforcement makes arrests for these crimes sometimes to justify getting Byrne funds and getting funds from the Federal Government for the purpose of getting money into their programs and not providing justice.

We need to have expungement laws so that people who have had nonviolent drug offenses can have their records expunged and go on to get employment and have a successful life in America. I have introduced the Fresh Start Act that says if you have a nonviolent Federal offense and you've spent 7 years and had a clean life, you can get your record expunged. This needs to become the law and give people a second chance. Otherwise, they can't get jobs and they resort to crime.

Medical marijuana is an issue that's come up in this country and most States that have had the opportunity to deal with it have passed it, mostly by percentages of over 60 percent. I had a good friend named Oral James Mitchell. Oral James Mitchell was a Navy SEAL and one of the strongest, toughest, best friends I ever had. When O.J. was 54, he got pancreatic cancer. Pancreatic cancer destroys a person, just whittles them away. And a guy who was 210 pounds, who could do all those things the SEALs do, the hand-to-hand and the paratroops, he used medical marijuana, and his mother said, Thank God for the marijuana. It allowed Oral to have a sense of humor and to eat. It worked.

I yield back the balance of my time and urge us to solve the war on drugs by getting out of it. It is a war. It is a crime.

## MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY) for 5 minutes.

Mr. BOUSTANY. Mr. Speaker, over 14 years in private practice in medicine, I had the great privilege to treat many, many Medicare patients, thousands of Medicare patients. I did open heart surgery, complex open heart surgery, lung cancer surgery, in times of great need, great difficulty for these seniors who had paid many years of their payroll taxes into the Medicare program with the hope and the recognition that this program would be there for them, for their health care needs in their later years.

And I'll tell you, in the '90s, when I was in the midst, at the peak of my practice, it was not unusual, and in fact quite often patients would come into the emergency room with a very difficult situation, without a primary care physician because they had not had previous health problems. And then what would happen is we would have to do emergency heart surgery on them, and once they got through all of this and got through the hospital stay, we could not find a primary care physician to take them on, to treat their everyday problems with hypertension, high blood pressure, diabetes, gout and things of that nature.

I would get on the phone time and time again and I would call family doctors and internal medicine physicians and plead with them, Why can't you take this one more patient into your practice? And it's because the reimbursement situation for Medicare was so bad even back then in the nineties that if a physician took on too many Medicare patients, they couldn't meet their costs. That situation has gotten much worse today, in 2011.

I could tell you that I have grave concerns about the future of the Medicare program and what's going to happen. And I'm not speaking as a Member of Congress, I'm speaking as a physician, as somebody who cared for many, many patients, who valued that doctor-patient relationship. This situation whereby families who have a loved one on Medicare cannot find a primary care doctor, this is a very serious situation today and getting worse by the week.

The bottom line is Medicare is in trouble. I saw this as a doctor, and I see it now as a Member of Congress.

Just a couple of facts. Over 10,000 baby boomers are reaching retirement age every day, leaving fewer workers to support them. We have an aging population. This is putting tremendous cost pressure on this Medicare program. In fact, the Medicare program, according to the Medicare actuaries, the trust fund that provides the money for the